

Moultonborough Zoning Board of Adjustment
P.O. Box 139
Moultonborough, NH 03254

Regular Meeting

September 21, 2016

Minutes

Present: Members: Bob Stephens, Ken Bickford, Bob Zewski, Robert St. Peter
 Alternates: Nick DeMeo
Excused: Member: Russ Nolin
 Alternate: Richard Jenny, Jerry Hopkins, Paul Onthank
Staff Present: Administrative Assistant, Bonnie Whitney

I. Call to Order

Chairman Stephens called the meeting to order at 7:00 PM and led the Pledge of Allegiance. He then introduced the members of the board to the public. He appointed Nick DeMeo to sit on the board with full voting privileges in place of missing member Russ Nolin.

II. Pledge of Allegiance

III. Approval of Minutes

Motion: Mr. Bickford moved to approve the Zoning Board of Adjustment Minutes of September 7th, 2016, as written, seconded by Mr. DeMeo, carried unanimously.

IV. Hearings

The Chairman stated the Board was in receipt of a letter dated September 20, 2016 from David M. Dolan, agent for the applicant, Lance W. Packard; property of Thomas A. Power Consultants, Inc. (116-4) (492 Whittier Highway) withdrawing the following three applications submitted to the Zoning Board of Adjustment on September 1, 2016 and scheduled for Public Hearings this evening.

1. Lance W. Packard; property of Thomas A. Power Consultants, Inc. (116-4) (492 Whittier HWY)
 Appeal from an Administrative Decision
2. Lance W. Packard; property of Thomas A. Power Consultants, Inc. (116-4) (492 Whittier HWY)
 Variance from Article VI.C.a
3. Lance W. Packard; property of Thomas A. Power Consultants, Inc. (116-4) (492 Whittier HWY)
 Special Exception from Article VI.C and VI.D

Motion: Mr. Zewski moved to grant the request for withdrawal of the three applications submitted by Lance W. Packard; property of Thomas A. Power Consultants, Inc. (116-4) (492 Whittier Highway) for an Appeal from an Administrative Decision; Variance from Article VI.C.a; and Special Exception from Article VI.C and VI.D, without prejudice, seconded by Mr. Bickford, carried unanimously.

4. Lynn M. Photiades Revocable Trust (166-28) (46 Driftwood Drive)
Special Exception from Article III.B.6

The Chairman stated that this was an application for a special exception from MZO Article III.B.6.

Gerald Roth of G M Roth Design Remodeling presented the application for the Trust. Lynn Photiades was present in the audience for the hearing. Mr. Roth stated that this was a request for a special exception for the reconstruction of an existing deck and the construction of deck landing and stairs to be 16' from the side property line, where 20' is required. Mr. Roth briefly explained the project stating that the proposal is to reconstruct the existing deck. Presently there is no access and egress from the deck and the proposal is to add a deck landing and stairs within the sideline setback. Mr. Roth noted they chose the right side of the deck (facing the home from the lake) for the stairs as there is a large tree and A/C unit to the left. Mr. Roth stated they have proposed the landing and deck to be 48" in width and that they will not extend beyond the face of the deck, nor encroach into the lake setback. Mr. Roth answered any questions from the board.

Mr. Stephens questioned if any members had visited the site. Mr. Stephens, Mr. Bickford and Mr. Zewski had had the opportunity to view the site. Mr. St. Peter questioned if the stairs could go off the front of the deck towards the lake. It was noted the topography of the drops of steeply in front the deck, and that they would have to run out a long way towards the lake, and may encroach into the lake setback.

There were no members present in the audience for the hearing.

Mr. Stephens asked if there were any additional questions from the board at this time, it was noted there were none. He closed the public hearing and the board went into deliberative session to discuss each of the criteria for the granting of the special exception at 7:09 PM and came out of deliberative session at 7:11 PM.

There was no further input from the board or public. The voting members were Bob S., Ken, Bob Z, Rob and Nick.

Motion: Mr. Zewski moved to grant the request for a special exception from Article III.B.6 for Lynn M. Photiades Revocable Trust, Tax Map 166, Lot 28, subject to the following condition: that the deck landing and stairs are limited to a width of forty-eight (48) inches and further, to close the public hearing and to direct staff to draft a formal Notice of Decision for Board discussion only, based on the Finding of Facts during tonight's hearing, which will be reviewed for accuracy only and signed by the Chair at the next scheduled meeting, seconded by Mr. St. Peter, motion passed, five (5) in favor (Stephens, Bickford, Zewski, St. Peter, DeMeo) and none (0) opposed.

Mr. Stephens noted the right to appeal in accordance with NH RSA 677:2 would begin tomorrow.

V. Correspondence

VI. Unfinished Business

1. Review and possible authorization for the Chair to sign the formal Notice of Decision for the September 7th, 2016 dismissal of a variance application submitted by the Gallo Retirement Realty Trust, for a parcel located at 10 Olympia Street (Tax Map 128, Lot 25).

The Board reviewed the draft Notice of Decision prepared by staff, as directed by the Board at the hearing on September 7th. There were no changes made to the draft.

Motion: Mr. St. Peter moved to approve the formal Decision Letter as written for Gallo Retirement Realty Trust, Tax Map 128, Lot 25 and to authorize the Chairman to sign and staff to mail said notice to the applicant or applicant's agent, seconded by Mr. Bickford, motion passed, five (5) in favor (Stephens, Bickford, Zewski, St. Peter, DeMeo), and none (0) opposed.

2. Review and possible authorization for the Chair to sign the formal Notice of Decision for the September 7th, 2016 granting of a variance for Jon & Wendy Clattenburg, for a parcel located on Solomon Lane (Tax Map 235 Lot 9).

The Board reviewed the draft Notice of Decision prepared by staff, as directed by the Board at the hearing on September 7th. There were no changes made to the draft.

Motion: Mr. Bickford moved to approve the formal Decision Letter as written for Jon & Wendy Clattenburg, Tax Map 235, Lot 9 and to authorize the Chairman to sign and staff to mail said notice to the applicant or applicant's agent, seconded by Mr. DeMeo, motion passed, five (5) in favor (Stephens, Bickford, Zewski, St. Peter, DeMeo), and none (0) opposed.

VII. Adjournment

Motion: Mr. St. Peter made the motion to adjourn at 7:18 PM, seconded by Mr. Bickford, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant

NOTICE: These DRAFT Minutes have not been formally approved by the Zoning Board of Adjustment. Please contact the Office of Development Services after the next regularly scheduled meeting of the Moultonborough Zoning Board of Adjustment to be held on the 1st and 3rd Wednesday of each month, to learn if any corrections, additions or deletions were made.